

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

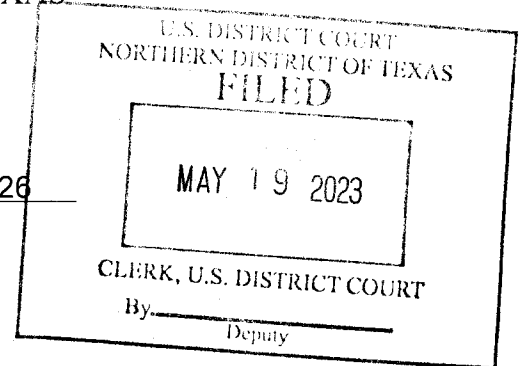
UNITED STATES OF AMERICA

v.

No. 4:23-MJ-426

DECORIAN LYNNDALDE TITUS (01)

CRIMINAL COMPLAINT



I, ATF Special Agent J. Massey, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about May 10, 2023, in the Fort Worth Division of the Northern District of Texas, defendant **Decorian Lynndale Titus**, knowing that he had previously been convicted of a felony offense, that is a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce firearms, to wit: a Smith & Wesson, Model SD9VE, 9mm pistol bearing serial number FWY1703, and a Glock, Model 36, .45 caliber pistol bearing serial number EVR753US, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

On or about May 10, 2023, in the Fort Worth Division of the Northern District of Texas, defendant **Decorian Lynndale Titus** did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(D).

On or about May 10, 2023, in the Fort Worth Division of the Northern District of Texas, defendant **Decorian Lynndale Titus**, did knowingly possess firearms, to wit: pistols, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession of a controlled substance with intent to distribute, in violation of 18 U.S.C. §§ 924(c)(1)(A).

Probable Cause:

I, ATF Special Agent J. Massey, affiant, under oath, duly state that I am a sworn Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives. The statements set forth in this affidavit are true and correct to the best of my knowledge and belief but are not inclusive of all the evidence or information in the case.

1. Affiant has been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) assigned to the Dallas Field Division, Fort Worth Field Office since May of 2020. Prior to that, Affiant was assigned to the ATF Tampa Field Division, Jacksonville II Field Office since August of 2009.

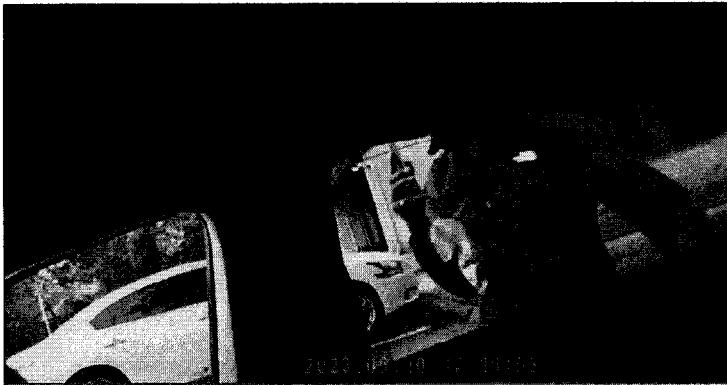
2. Affiant has conducted investigations involving narcotics trafficking, firearms activities and firearm offenses, which resulted in seizures of narcotics, narcotics paraphernalia, firearms, firearm parts, and ammunition. Affiant is familiar with, and has participated in, many methods of investigation, including, but not limited to, electronic surveillance, visual surveillance, general questioning of witnesses, use of search warrants, use of confidential informants, use of pen registers, use of trap and trace devices, and use of undercover agents

3. Affiant is familiar with the facts and circumstances of the investigation set forth below based on Affiant's participation in this investigation. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, Affiant has not included details of every aspect of the investigation. Instead, Affiant has only listed those facts believed necessary to establish probable cause to believe that the defendant committed the above-identified crimes.

4. On May 10, 2023, ATF Special Agent (SA) 5850, acting in an undercover capacity, participated in a controlled purchase of marijuana and firearms from Decorian Lynndale TITUS. This controlled purchase was arranged by ATF Confidential Informant (CI) 30959. On May 9 and 10, 2023, ATF CI 30959 engaged in a series of text and audio communications with TITUS through TITUS' Instagram social media account. During these communications, ATF CI 30959 arranged to purchase a quarter pound of marijuana from TITUS in exchange for \$350.00. TITUS provided ATF CI 30959 with an address to conduct the transaction, 9005 Mill Valley Circle, Fort Worth, Texas 76120, which was determined to be within the Rocco Apartment complex.

5. Prior to conducting the controlled purchase, Affiant searched ATF CI 30959's person for contraband with negative results. SA 5850 and ATF CI 30959 were equipped with audio and video surveillance equipment, which recorded the controlled purchase.

6. SA 5850 and ATF CI 30959 traveled, via undercover vehicle, to the area of the provided address on Mill Valley Circle. Upon arrival at the Rocco apartment complex, TITUS directed SA 5850 and ATF CI 30959 to the area of building 11. SA 5850 parked the undercover vehicle near building 12, across from building 11. Shortly after parking, SA 5850 observed TITUS at the rear passenger side of the undercover vehicle in possession of a large vacuum seal bag.



7. TITUS entered the front passenger seat of the undercover vehicle. TITUS provided SA 5850 with an open bag containing multiple bags of a green leafy substance, suspected to be marijuana. SA 5850 confirmed the price of the marijuana was \$350.00 with TITUS.

8. After TITUS exited the undercover vehicle, SA 5850 asked TITUS about firearms. TITUS asked, "What y'all tryna get?" SA 5850 and TITUS discussed what type of firearms TITUS had. TITUS then lifted his shirt and displayed a black handle of a firearm located in his waistband and explained that it would cost \$400.00. TITUS stated the firearm was a Smith & Wesson. TITUS retrieved the firearm from his waist band, and SA 5850 agreed to purchase the firearm.



9. TITUS handed the pistol to ATF CI 30959 and advised that TITUS also had a Glock, Model 36, .45 caliber pistol for sale for \$650.00. In response to questions from ATF CI 30959, TITUS indicated he currently had six (6) firearms for sale. SA 5850 provided TITUS with \$400.00 as payment for the pistol, which was later observed to be a Smith & Wesson, Model SD9VE, 9mm pistol bearing serial number FWY1703 which was loaded with eleven (11) rounds of 9mm ammunition, including a round in the chamber. During the time of the transaction, TITUS explained that the pistol had “one in the head” to indicate there was a round of ammunition in the chamber. SA 5850 indicated that they wished to purchase the Glock pistol as well. TITUS walked toward building 12.

10. ATF CI 30959 contacted TITUS via Instagram audio call and advised that SA 5850 and ATF CI 30959 would depart the area to acquire the additional money, then return. SA 5850 and ATF CI 30959 then departed the area of the Rocco apartment complex.

11. SA 5850 and ATF CI 30959 then returned to the area of building 12. Upon arrival, SA 5850 observed TITUS seated on a railing near the apartment building entrance. TITUS walked to the area of the undercover vehicle, at which point SA 5850 observed what appeared to be the handle of a pistol in TITUS' waist band. TITUS then produced and provided SA 5850 with the previously discussed Glock, Model 36, .45 caliber pistol bearing serial number EVR753US. The pistol was loaded with one (1) round of ammunition in the chamber and one (1) round of ammunition in the magazine. SA 5850 provided TITUS with \$650.00 as payment for the Glock pistol. After additional discussion of firearms, SA 5850 and ATF CI 30959 concluded the controlled purchase and departed the area.

12. After the controlled purchase, Affiant searched ATF CI 30959's person for contraband with negative results. Affiant weighed the marijuana purchased from TITUS and observed it to weigh approximately 137.76 grams including packaging.

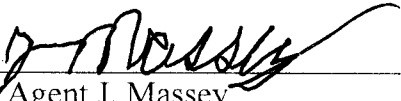


13. Affiant is an ATF Interstate Nexus Expert. Affiant has examined the Smith & Wesson and Glock pistols possessed by TITUS and determined that the firearms were not manufactured in the state of Texas, and therefore moved in and affected interstate commerce to reach the state of Texas.

14. Affiant has reviewed TITUS' National Crime Information Center (NCIC) return. Affiant observed that TITUS was convicted of Engaging in Organized Criminal Activity, a State Jail Felony, in Tarrant County, Texas on December 6, 2022. Affiant further observed that TITUS was convicted of Possession of a Controlled Substance, a State Jail Felony, in Tarrant County, Texas on December 6, 2022. In addition, Affiant observed that TITUS was arrested for Unlawful Carrying of a Weapon with a Felony Conviction and Unlawful Possession of a Firearm by a Felon in Fort Worth, Texas on January 16, 2023. Therefore, Affiant has probable cause to believe that TITUS knows he is a convicted felon.

15. Based on the foregoing, Affiant believes that probable cause exists that **DECORIAN LYNNDALÉ TITUS**, who had previously been convicted of a felony offense, that is a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce, firearms, to wit: a Smith & Wesson, Model SD9VE, 9mm pistol bearing serial number FWY1703 and a Glock, Model 36, .45 caliber pistol bearing serial number EVR753US, in violation of 18 U.S.C. § 922(g)(1).

Additionally, Affiant believes that probable cause exists that **Decorian Lynndale Titus**, possessed marijuana with the intent to distribute it, in violation of 21 U.S.C. § 841(a)(1) & (b)(1)(D); and possessed, carried, or used a firearm, a Smith & Wesson, Model SD9VE, 9mm pistol bearing serial number FWY1703, during, in relation to, and possessed firearms, to wit: pistols, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession of a controlled substance with intent to distribute, in violation of 18 U.S.C. §§ 924(c)(1)(A).


Special Agent J. Massey
ATF

SWORN AND SUBSCRIBED before me on this 19th day of May 2023
at 10:24 am, in Fort Worth, Texas.


JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE